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**DOCKET NO.: HER-0050**

## PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

### Indirect Application of:

Carla H. Kuhner et al.,

**Serial No.: 09/882,781**

**Filing Date:** June 15, 2001

### **Group Art Unit: Not Yet Assigned**

**Examiner: Not Yet Assigned**

**For: CHEMICALLY-MODIFIED PEPTIDES, COMPOSITIONS, AND  
METHODS OF PRODUCTION AND USE**

DATE OF DEPOSIT: July 18, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

**TYPED NAME:** Patrick J. Farley  
**REGISTRATION NO.:** 42,524

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
  - The fee of \$180.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
  - The fee of \$180.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
  - In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
  - In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office

DOCKET NO.: HER-0050

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PATENT

in patent application(s) for which a claim for priority under 35  
U.S.C. §120 have been made in the instant application:

Copies of references [list as appropriate] listed on the attached Form  
PTO-1449 were previously cited by or submitted to the Patent and  
Trademark Office in prior application Serial No. , filed .

If any of the foregoing publications are not available to the  
Examiner, Applicant will endeavor to supply copies at the  
Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: July 18, 2001

  
\_\_\_\_\_  
Patrick J. Farley  
Registration No. 42,524

WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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**Form PTO-1449 Modified**

List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)

U.S. Department of Commerce  
Patent and Trademark Office

Docket No.  
**HER-0050**

Serial No.  
**09/882,781**

Applicant  
**Carla H. Kuhner et al.,**

Filing Date  
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Group  
**Not Yet Assigned**

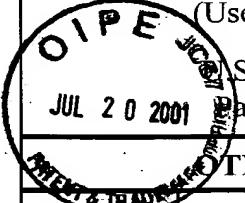
**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

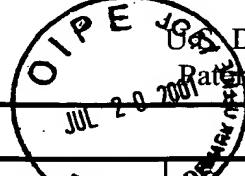
	AA	Falla T.J. et al., "Mode of action of the antimicrobial peptide indoicidin", 1996, Vol 271 (32), pp 19298-19303
	AB	Hancock,R.E.W., "The therapeutic potential of cationic peptides" <i>Exp. Opin. Invest. Drugs</i> , 1998, 7(2), pp 167-174
	AC	Hancock,R.E.W., et al., "Cationic bactericidal peptides" <i>Advances In Microbial Physiology</i> , 1995, Vol 37, pp 135-175
	AD	Hancock,R.E.W. et al., "Cationic peptides: a new source of antibiotics" <i>TIB Tech.</i> , 1998, 16, pp82-88
	AE	Lehrer et al., "Defensins: Natural peptide antibiotics from neutrophils" <i>ASM News</i> , 1990, 56, 315-318
	AF	Merrifield,R.B., "Solid phase peptide synthesis. I. The synthesis of a tetrapeptide" <i>J. Amer. Chem Soc.</i> , 1963, 85, pp 2149-2154
	AG	Nguyen-Dinh P., et al., "Antiparasitic agents and susceptibility tests" <i>Manual of Clinical Microbiology</i> , 7 <sup>th</sup> Edition, pp 1653-1662
	AH	Oh et al., "Structure-activity relationship study:short antimicrobial peptides" <i>J. Peptide Res.</i> , 1998, 56, pp 41-46
	AI	Wakabayashi et al., "N-acylated and d enantiomer derivatives of a nonamer core peptide of lactoferricin b showing improved antimicrobial activity" <i>Antimicrobial Agents and Chemotherapy</i> , 1999, 43, 1267-1269
*	AJ	"A formulary of cosmetic preparations" Vol 2, Chapters 7-16, pp 5-484
*	AK	Goodman & Gilman's: <i>The Pharmacological Basis of Therapeutics</i> (8 <sup>th</sup> edition), pp 1-83

**EXAMINER****DATE CONSIDERED**

\*A copy of this reference will not be forwarded to the U.S. Patent and Trademark Office since it is believed to be too voluminous and easily obtainable by the Examiner.



<b>Form PTO-1449 Modified</b>			Docket No. <b>HER-0050</b>	Serial No. <b>09/882,781</b>
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)			Applicant <b>Carla H. Kuhner et al.,</b>	
 JUL 20 2001 U.S. Department of Commerce Patent and Trademark Office			Filing Date <b>June 15, 2001</b>	Group <b>Not Yet Assigned</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>				
*	AL	Gutte B., "Peptides: Synthesis, Structures and Applications" 1995		
*	AM	Lloyd-Williams et al., "Chemical approaches to the synthesis of peptides and proteins" 1997		
*	AN	Remington's Pharmaceutical Sciences (part 8), pp 1435-1694		
*	AO	The CFTA Cosmetic Ingredient Handbook, 1992, 2 <sup>nd</sup> edition		
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>	

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<b>U. S. PATENT DOCUMENTS</b>						
Examiner Initial	Document No.	Date	Name	Class	Subclass	
	AP	5,504,190	04/02/96	Houghten et al.,	530	329
	AQ	5,512,549	04/30/96	Chen et al.,	514	12
	AR	5,939,086	08/17/99	Levy	424	405
<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initial	Document No.	Date	Country	Translation		
	AS	HEI 8-176190	Japan	X		
	AT	2,020,148 A6	Spain	X		
	AU	8,702,346 A1	Spain	X		
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>			